

MAR 24 2005

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Dallas, Texas 75244Main No. (972) 385-8777  
Facsimile (972) 385-7766**FACSIMILE COVER SHEET**

<b>To: Commissioner for Patents for Examiner Gerald Gauthier Group Art Unit 2645</b>	<b>Facsimile No. 703-872-9306</b>
<b>From: Rebecca Clayton Paralegal to Duke W. Yee</b>	<b>No. of Pages Including Cover Sheet: 3</b>
<b>Enclosed herewith:</b> <ul style="list-style-type: none"><li>• Transmittal document; and</li><li>• Notice of Appeal.</li></ul>	
<b>Re: Application Serial No. 09/998,395 Attorney Docket No. AUS920010916US1</b>	
<b>Date: Thursday, March 24, 2005</b>	
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MAR 24 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Awada et al.

Serial No.: 09/998,395

Filed: November 15, 2001

For: System and Method for  
Mitigating the Mobile Phone Nuisance  
Factor§ Group Art Unit: 2645  
§  
§ Examiner: Gauthier, Gerald  
§  
§ Attorney Docket No.: AUS920010916US1  
§  
§

Certificate of Transmission Under 37 C.F.R. § 1.8(a)  
I hereby certify this correspondence is being transmitted via  
facsimile to the Commissioner for Patents, P.O. Box 1450,  
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March 24, 2005.  
By: Rebecca Clayton  
Rebecca Clayton

TRANSMITTAL DOCUMENTCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-145035525  
PATENT TRADEMARK OFFICE  
CUSTOMER NUMBER

Sir:

ENCLOSED HEREWITH:

- Notice of Appeal

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

Duke W. Yee  
Duke W. Yee  
Registration No. 34,285  
YEE & ASSOCIATES, P.C.  
P.O. Box 802333  
Dallas, Texas 75380  
(972) 385-8777  
ATTORNEY FOR APPLICANTS

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

MAR 24 2005

In re application of: **Awada et al.**Serial No.: **09/998,395**Filed: **November 15, 2001****For: System and Method for  
Mitigating the Mobile Phone Nuisance  
Factor**

§ Group Art Unit: **2645**  
§  
§ Examiner: **Gauthier, Gerald**  
§  
§ Attorney Docket No.: **AUS920010916US1**  
§

**Certificate of Transmission Under 37 C.F.R. § 1.8(a)**

I hereby certify this correspondence is being transmitted via facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number (703) 872-9306 on March 24, 2005.

By:

  
Rebecca Clayton**NOTICE OF APPEAL**

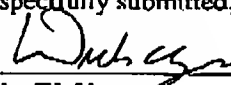
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the office action dated February 24, 2005 finally rejecting claims 1-10, 12-16, 18, 19, 21, 22, 24, 25, 27, and 28.

A fee of \$500.00 is believed to be necessary. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. In the event that any additional fees are required for the prosecution of this application, please charge any necessary fees to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is needed, the extension is requested and the fee for this extension should be charged to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

  
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